

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES - GENERAL

Case No.	CV 06-7561 PA (CWx)	Date	November 7, 2011
Title	TrafficSchool.com, Inc., et al. v. eDriver, Inc., et al.		

Present: The Honorable	PERCY ANDERSON, UNITED STATES DISTRICT JUDGE		
Paul Songco	Not Reported		N/A
Deputy Clerk	Court Reporter		Tape No.
Attorneys Present for Plaintiffs:		Attorneys Present for Defendants:	
n/a		n/a	

Proceedings: IN CHAMBERS - ORDER

On August 24, 2011, this Court ordered the filing of a Joint Statement regarding Plaintiffs' motion for attorneys' fees and costs. (Docket No. 302.) The Court has received the parties' Joint Statement on Fees in Support of Plaintiffs' Motion for Attorney's Fees and Costs, as well as the Joint Statement on Costs. (Docket Nos. 315 & 316.) The Court has also received Defendants' Comments to Joint Statement on Plaintiffs' Motion for Attorneys' Fees. (Docket No. 317.)

For each entry in the Joint Statement on Fees, Defendants enter "0" in the column identified as "Hours Defendants Believe Should Be Awarded." For each entry in the column identified as "Brief Summary of Defendants' Position (for each disputed item)," Defendants write, "See Defendants' Comments to Joint Statement and Declaration of Andrew Serwin in Support thereof, concurrently submitted, which is hereby incorporated by reference as if fully set forth herein."

For the Joint Statement on Costs, Defendants enter "\$0" for each entry in the column identified as "Amount Defendants Believe Should be Awarded." For each entry in the column identified as "Brief Summary of Defendants' Position (for each disputed item)," Defendants again merely refer to their Comments to Joint Statement.

The Court understands that Defendants intend to contest Plaintiffs' entitlement to an award of any fees or costs. Those arguments, however, are appropriately addressed in Defendants' Opposition to the Motion, not in the Joint Statement. Instead, the Joint Statement is designed to assist the Court in determining the reasonableness of each particular item in the request for fees by providing the non-moving party with an opportunity to comment on the reasonableness of the time requested by the moving party for each billed item. Simply entering "0" for the number of hours that should be billed for a particular task is of no assistance to the Court should it conclude that an award of fees is appropriate. The same is true as to the Joint Statement on Costs. Simply entering "\$0" for the amount that should be awarded for costs is of no assistance to the Court.

The Court will therefore provide Defendants with one final opportunity to provide its view of the reasonableness of the amount of fees and costs Plaintiffs seek for each billed item. Defendants shall file no later than November 14, 2011, the Joint Statement on Fees with appropriate entries for the "Hours

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Defendants Believe Should Be Awarded” column and for the “Brief Summary of Defendants’ Position (for each disputed item)” column, as well as the Joint Statement on Costs with appropriate entries for the “Amount Defendants Believe Should Be Awarded” column and for the “Brief Summary of Defendants’ Position (for each disputed item)” column. The inclusion of such entries does not waive Defendants’ arguments that Plaintiffs are not entitled to an award of fees or costs. However, Defendants’ failure to provide the Court with information concerning its view of the reasonableness of the time billed or costs sought by Plaintiffs for any item requested by Plaintiffs in the Joint Statement may be deemed a waiver of any objection to the reasonableness of the request for any such item.

IT IS SO ORDERED.